

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

HAZEL M. ROBY, as Administratrix of §  
the Estate of RONALD TYRONE §  
ROBY, Deceased, §

Plaintiff, §

v. §

BENTON EXPRESS, INC., et al., §

Defendants. §

CIVIL ACTION NO.  
2:05cv494-B

**PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S**  
**SUPPLEMENT TO ITS MOTION FOR SUMMARY JUDGMENT**

COMES NOW the Plaintiff in the above-styled matter and hereby requests that  
this Court strike Supplement to Defendant's Brief in Support of its Motion for Summary  
Judgment as untimely.



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**CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system that will send notification of such filing to the following on this the 22 day of December 2005.

  
\_\_\_\_\_  
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